

18w/3731
Serial No.: 10/010,906
Examiner: Gary Jackson
Art Unit: 3731

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin W. Smith et al.

Group Art Unit: 3731

Serial No.: 10/010,906

Examiner: Gary Jackson

Filed: Dec. 6, 2001

Attorney Docket: ISD-SYN-039A

Title: Flexible Surgical Clip Applier

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David S. Jacobson

7/16/04
Date

Honorable Commissioner for Patents
Alexandria, VA 22313

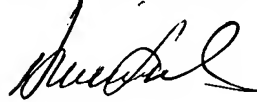
Sir:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

In the Reasons for Allowance, the Examiner has stated “[t]he art of record closest to the claims lack teaching of a *clip applier* having a distal pushing force of at least 500 grams being provided at the distal end of an advancing element within the outer tubular member.” (emphasis added) It is noted that certain of the claims allowed in the case, and specifically those relating to the pushing force, do not require that the device be limited to

a clip applier, but only require a "flexible surgical device" which has the claimed limitations.

Respectfully submitted,



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